

REMARKS

Claims 1-4, 6-9, 11-14, 16-19, 21-24 and 26-28 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-4, 6-9, 11-14, 16-19, 21-24 and 26-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ginter et al. (U.S. Pat. No. 5,892,900) in view of Erickson (U.S. Pat. No. 5,765,152). This rejection is respectfully traversed.

Applicant previously amended the pending claims to recite that the music program "is subdivided into parts selected from the group consisting of music parts and phrases". In response, the Examiner states that Ginter discloses that sheet music is content and therefore the relied upon references render obvious a musical composition where use of the composition is determined by the creator of its various parts. Applicant disagrees with this assertion. First, Ginter merely discloses "music" not "sheet music". Second, Ginter discloses the music as contents and does not suggest subdividing the music program into parts selected from the group consisting of music parts and phrases. For at least these reasons, Applicant's claimed invention is patentably distinct from the combination of relied upon references.

Furthermore, pending claims have been amended to recite that the server apparatus set the use restrictions information for all contents of a content file. With this arrangement the server apparatus can collectively control the contents of the content file. In contrast, Ginter teaches that a user can set use restrictions only to the contents created by that user. Therefore, Applicant's claimed invention functions significantly different from the relied upon references. For this additional reason, is respectfully submitted that Applicant's claimed invention defines patentable subject matter over the combination of relied upon references.

Lastly, the Examiner's previous rejection mentioned "representation modes". Applicant notes that this feature is not cited in the pending claims.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

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Respectfully submitted,

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